

**FALCON REFINERY SUPERFUND SITE**  
**MAY 9, 2011**

- March 28, 2011 - EPA issued work take over letters (RI/FS and Removal) to the PRPs, notice of perfecting a lien on the property, and notice of drawing the “letters of credit” (RI/FS and Removal) from the bank in the amount of \$500k each. The EPA also informed the PRP that it would initiate the process of placing the “alternative” Site on the NPL.
- PRP filed dispute resolution for the removal take over, and EPA agreed to allow them to perform the Removal Action. According to EPA’s Counsel, the PRP cannot dispute the work take over of the RI/FS.
- EPA has possession of the funding from the letters of credit in a Special Account, according to the Enforcement Officer.
- RPM will issue a RACs II Statement of Work (SOW) for RI/FS on May 16, 2011, only need to add work needed to sample the Superior Oil spill that occurred several months ago. SOW is 95% complete.
- RPM has provided a listing of the PRPs to RACs contracting staff for the “conflict of interest” review.